

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) 2802-135-079
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First named inventor: Steven R. Knight

Application No.: 10/669,118 Art Unit: 1723

Filed: September 23, 2003 Examiner: Benjamin Kurtz

Title: Filter Element with Vent Orifice and Assembly Therefore

Attention: Office of Petitions
Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Amendment (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

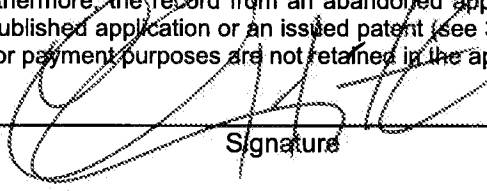
☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.


Signature

09/23/2007

Date

CHRISTOPHER H. HUNTER

Typed or printed name

34,187

Registration Number, if applicable

Parker-Hannifin Corporation

Address

216-896-2461

Telephone Number

6035 Parkland Boulevard, Cleveland, Ohio 44124-4141

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300. Transmitted via EFS

09/23/2007

Date



Signature

CHRISTOPHER H. HUNTER

Typed or printed name of person signing certificate

STATEMENT ESTABLISHING UNINTENTIONAL DELAY

When Applicant filed a Request for Continued Examination (RCE) on July 9, 2007, in response to a Final Office mailed January 11 2007 in U.S. Patent Application Serial No. 10/669,118, Applicant requested a suspension of action on the application under 37 CFR 1.103(c) for a period of two months. The appropriate box on PTO Form SB/30 was checked, and the fee payment was authorized (copy of Form SB/30 enclosed). The undersigned intended to provide an amendment in this case during this time period, and did not appreciate that at the time of the filing of the RCE, a full submission including such amendment would need to be filed at that time, and could not be delayed during this two-month period. The undersigned apologizes for this oversight, and requests that this Petition be granted, such that Applicant can obtain the benefit of a patent for its invention. The undersigned was not aware of this error until receiving a communication from the Patent Office on August 20, 2007 (the receipt date of the Notice of Improper Request for RCE).


CHRISTOPHER H. HUNTER

Electronic Acknowledgement Receipt

EFS ID:	1951225
Application Number:	10669118
International Application Number:	
Confirmation Number:	9506
Title of Invention:	Filter element with vent orifice and assembly therefore
First Named Inventor/Applicant Name:	Steven R. Knight
Correspondence Address:	Christopher H. Hunter PARKER-HANNIFIN CORPORATION 6035 Parkland Boulevard - Cleveland OH 44124-4141 US 2168962461 -
Filer:	Christopher Hays Hunter/Janet Narduzzi
Filer Authorized By:	Christopher Hays Hunter
Attorney Docket Number:	2802-135-079
Receipt Date:	09-JUL-2007
Filing Date:	23-SEP-2003
Time Stamp:	15:32:57
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$ 1940
RAM confirmation Number	683

Deposit Account	160325
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1		RCE.PDF	101772 a8e8c7bb262b1ce0e4895df60c17ca866f03eba5	yes	2

Multipart Description/PDF files in .zip description					
Document Description			Start	End	
Request for Continued Examination (RCE)			1	1	
Extension of Time			2	2	

Warnings:

Information:

2	Fee Worksheet (PTO-06)	fee-info.pdf	8466 49ba071406110164a5907e3ef804174fcd700110	no	2
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Warnings:

Information:

Total Files Size (in bytes):	110238
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Acknowledgement Receipt

The USPTO has received your submission at **15:32:57** Eastern Time on **09-JUL-2007** by Deposit Account: 160325.

\$ **1940** fee paid by e-Filer via *RAM* with Confirmation Number: 683.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

eFiled Application Information

EFS ID	1951225
Application Number	10669118
Confirmation Number	9506
Title	Filter element with vent orifice and assembly therefore
First Named Inventor	Steven R. Knight
Customer Number or Correspondence Address	Christopher H. Hunter PARKER-HANNIFIN CORPORATION 6035 Parkland Boulevard Cleveland OH 44124-4141 US 2168962461
Filed By	Christopher Hays Hunter/Janet Narduzzi
Attorney Docket Number	2802-135-079
Filing Date	23-SEP-2003
Receipt Date	09-JUL-2007
Application Type	Utility under 35 USC 111(a)

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
RCE.PDF	2		101772 bytes	◇ PASS
		Document Description	Page Start	Page End
		Request for Continued Examination (RCE)	1	1
		Extension of Time	2	2
fee-info.pdf	2	Fee Worksheet (PTO-06)	8466 bytes	◇ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53 (b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage

submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail efsweb@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the USPTO Customer Center (USCC).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to efsweb@uspto.gov Business Support or call 1 800-786-9199.*

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/669,118
Filing Date	09/23/2003
First Named Inventor	Knight
Art Unit	1723
Examiner Name	Kurtz
Attorney Docket Number	2802-135-079

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☒ Other Extension of Time
2. **Miscellaneous**
 - a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 2 months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. ☐ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 16-0325. I have enclosed a duplicate copy of this sheet.
 - i. ☒ RCE fee required under 37 CFR 1.17(e)
 - ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. ☐ Other _____
 - b. ☐ Check in the amount of \$ _____ enclosed
 - c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	/Chris Hunter/	Date	07/09/2007
Name (Print / Type)	CHRISTOPHER H. HUNTER	Registration No.	34,187

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	/Chris Hunter/	Date	07/09/2007
Name (Print / Type)	CHRISTOPHER H. HUNTER	Date	07/09/2007

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)**

Docket No.
2802-135-079

In Re Application Of:

Steven R. Knight

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/669,118	09/23/2003	Kurtz	24021	1723	9506

Invention:

FILTER ELEMENT WITH VENT ORIFICE AND ASSEMBLY THEREFORE

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 01/11/2007 in the above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: 04/12/2007 until: 07/11/2007
Date *Date*

The fee for the extension of time is **\$1,020** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **16-0325**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **16-0325**
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

/Chris Hunter/
Signature

Dated: **July 9, 2007**

CHRISTOPHER H. HUNTER,
Reg. No. 34,187
Attorney for Applicant
Parker-Hannifin Corporation
6035 Parkland Boulevard
Cleveland, Ohio 44124-4141
Phone: 216-896-2461
Fax: 216-896-4027
e-mail: chunter@parker.com

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

07/09/2007 via EFS

(Date)

/Chris Hunter/

Signature of Person Mailing Correspondence

CHRISTOPHER H. HUNTER

Typed or Printed Name of Person Mailing Correspondence

CC: